

# UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No AFFYP016C2

(New Nonprovisional Applications Under 37 CFR § 1.53(b))

#### TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is the patent application of ( ) application identifier or (X) first named inventor, <u>Robert J. Lipshutz</u> entitled <u>POLYMORPHISM DETECTION</u>, for a(n):

| ( ) Original Patent Application.   |   |  |  |  |
|--|---|--|--|--|
| of prior Application No. 09/939,119, filed August 24, of prior Application No. 08/853,370 filed May 8, 199   | Continuation-in-part (CIP) . 2001, now US Patent No. 6,586,186, which is a Continuation 7, now US Patent No. 6,300,063, which is a Continuation -inms the benefit of U.S. Provisional Application 60/017,260 filed  |  |  |  |
| of prior Application No. 08/853,370 filed May 8, 199   |   |  |  |  |
| ( ) This application claims the benefit of U.S. Provisional App<br>No, filed   | lication  |  |  |  |
| Enclosed are:  (X) Specification; 30 Total Pages. (X) Drawing(s); 10 Total Sheets.  (X) Oath or Declaration:  ( ) A Newly Executed Combined Declaration and Power of Attorney:   |   |  |  |  |
| Respectfully submitted:  By:  Michael J. Ritter, Reg. No. 36,653  Date: June 27, 2003  Correspondence Address:  Customer No. 26541  RITTER, LANG & KAPLAN LLP 12930 Saratoga Ave., Suite D1  Saratoga,CA 95070  Phone: 408-446-8690  Fax: 408-446-8691 | I hereby certify that this is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to:  Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450  By: Typed Name: Kamberly Melvin  Express Mail Label No.: EV338318128US Date of Deposit: June 27, 2003 |  |  |  |

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re the application of:     | ) | Attorney Docket No.: AFFYP016C2 |            |
|-------------------------------|---|---------------------------------|------------|
| LIPSHUTZ, Robert J. et al.    | ) | Examiner:                       | Unassigned |
| Application No: Unassigned    | ) | Art Unit:                       | 1656       |
| Filed: Herewith               | ) |                                 |            |
| Title: POLYMORPHISM DETECTION | ) |                                 |            |
|                               | ) |                                 |            |

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the dated indicated and addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 26, 2003.

Signed: Kimberly Melvin

## REQUEST FOR NON-PUBLICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Respectfully submitted,

Michael J. Ritter

RITTER, LANG & KAPLAN LLP 12930 Saratoga Ave., Suite D1 Saratoga, CA 95070 (408) 446-8690

Attorney Docket No.: AFFYP016C2